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Message Text

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ACTION EUR-12

INFO OCT-01 ARA-14 AF-10 ISO-00 IO-14 CIAE-00 DODE-00
PM-05 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02
PRS-01 SP-02 SS-15 USIA-15 HA-05 BIB-01 CU-06
AID-05 CEA-01 COME-00 EB-08 FRB-01 STR-07 TRSE-00
LAB-04 SIL-01 OMB-01 MCT-01 /149 W
----------091098 301928Z /45
P R 301630Z JAN 78
FM AMCONSUL STRASBOURG
TO SECSTATE WASHDC PRIORITY 1128
INFO ALL COE CAPITALS
AMEMBASSY BELGRADE
AMEMBASSY SANTIAGO
USUN NEW YORK 0053
USMISSION USNATO

UNCLAS SECTION 1 OF 2 STRASBOURG 37/1

BELGRADE FOR USDEL CSCE

BRUSSELS FOR USEEC

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TAGS: SHUM, COE, EC, CSCE, CI.
SUBJECT: HUMAN RIGHTS - REPORT ON DISCUSSIONS DURING JAN. 23-27
COUNCIL OF EUROPE PARLIAMENTARY ASSEMBLY, INCLUDING
JAN. 26 JOINT SESSION WITH THE EUROPEAN PARLIAMENT.

1. SUMMARY - DURING MANY-FACETED DISCUSSION OF HUMAN RIGHTS MATTERS AT COUNCIL OF EUROPE, JAN 23-27, NUMEROUS REFERENCES WERE MADE TO U.S. HUMAN RIGHTS POLICY. OUR POLICY AND EFFORTS WERE NOT QUESTIONED, BUT RATHER WERE CITED BY SPEAKERS OF VARIOUS POLITICAL PERSUASIONS AS WORTHY OF EMULATION BY WEST EUROPEANS. SEVERAL SPEAKERS CALLED ON THE EC AND WESTERN EUROPE AS A WHOLE TO USE ITS ECONOMIC AND FINANCIAL POWER IN PROMOTING HUMAN RIGHTS , AS U.S. IS DOING. FOR EXAMPLE
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SOME EC PARLIAMENTARIANS CALLED FOR INCLUSION OF A STRICT HUMAN RIGHTS OBSERVANCE OR NO AID PROVISION WHEN RENEGOTIATION OF EC-LOME ACCORD STARTS IN SEPTEMBER. ELOQUENT, POSITIVE STATEMENTS ON HUMAN RIGHTS WERE MADE BY AUSTRIAN PRESIDENT KIRCHSCHLAEGER, NORWEGIAN FORMIN FRYDENLUND, AND LUXEMBOURG PRIME MINISTER THORN. JAN .26 AFTERNOON JOINT SESSION WITH EUROPEAN PARLIAMENT MARKED BY POOR EC PARLIAMEN-

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TARIAN ATTENDANCE AND SOME RESENTMENT HERE OVER CONTINUED INDICATION THAT EC WILL BE BROADENING ITS OWN HUMAN RIGHTS ENDEAVORS. AS EXPECTED, LUXEMBOURG PRIME MINISTER (AND CURRENT CHAIRMAN, COE COMMITTEE OF MINISTERS) THORN CATEGORICALLY REJECTED DEMANDS MADE FOR PUBLISHING HUMAN RIGHTS COMMISSION S REPORT ON HUMAN RIGHTS VIOLATIONS IN CYPRUS, DENYING COMMITTEE OF MINISTERS WAS VIOLATING SPIRIT OF COUNCIL OF EUROPE S HUMAN RIGHTS STATUTES BY DELAYING ACTION ON REPORT. ALL THINGS CONSIDERED, THE BROAD HUMAN RIGHTS ISSUE DISCUSSION WHICH TOOK PLACE HERE LAST WEEK MUST BE VIEWED AS ENDORSEMENT OF USG HUMAN RIGHTS POLICY AS IT HAS EVOLVED IN THE PAST YEAR AND ACCEPTANCE OF OUR CHALLENGE TO REINFORCE EXISTING HUMAN RIGHTS MACHINERY AND ADD NEW AVENUES TO PROMOTING HUMAN RIGHTS IN THE WORLD. END SUMMARY.

2. ATTITUDES TOWARD U.S. HUMAN RIGHTS POLICY -

A GENERAL THEME SOUNDED AND ENDORSED WAS THAT WESTERN EUROPE SHOULD CONTINUE TO WORK CLOSER WITH THE U.S. IN HUMAN RIGHTS QUESTIONS. SATISFACTION WAS EXPRESSED WITH BELGRADE CSCE RESULTS SO FAR, WITH MANY SPEAKERS PROCLAIMING FINAL BURIAL OF THE EAST EUROPEAN CONTENTION THAT HUMAN RIGHTS ACTIVISM WAS TANTAMOUNT TO INTERFERENCE IN INTERNAL AFFAIRS. IN THIS CONNECTION, THERE WAS NONE OF THE FEAR EXPRESSED - AS THERE WAS NINE MONTHS AGO - THAT THE U.S. WAS GOING TOO FAR, ENDAN-DERING DETENTE, ETC. NORWEGIAN FOREIGN MINISTER FRYDENLUND
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INTERESTINGLY PUT IT THIS WAY: BEGIN QUOTE -
IN THIS CONNECTION (CSCE), I SHOULD LIKE TO MAKE TWO OBSERVATIONS:

- THE FIRST CONCERNS THE RELATIONSHIP BETWEEN HUMAN RIGHTS AND DETENTE. IT IS REALLY A QUESTION OF TWO ESSENTIALLY INTER-DEPENDENT PROCESSES. IT MUST BE REALISTIC TO ASSUME THAT A STRENGTHENING OF HUMAN RIGHTS IN THE EAST EUROPEAN COUNTRIES WILL ONLY BE ABLE TO BE AFFECTED BY DEGREES AND MAINLY IN THE FORM OF AN INNER DEVELOPMENT LEADING TO REFORM. A DEVELOPMENT OF THIS NATURE WOULD BE MOST LIKELY IN A PERIOD WITH CONTINUED DETENTE.

THE DETENTE POLICY MUST THEREFORE BE PURSUED IN SUCH A MANNER AS TO STRENGTHEN THE POSITION OF HUMAN RIGHTS. CONVERSELY, THE HUMAN RIGHTS POLICY MUST BE PURSUED IN SUCH A MANNER AS TO FACILITATE CONTINUED DETENTE.

- MY SECOND OBSERVATION CONCERNS THE EAST EUROPEAN STATES VIEW OF THE CONTENT OF HUMAN RIGHTS. IT IS DIFFERENT FROM OURS. WE FOR OUR PART KNOW THAT WE WERE RIGHT IN BRINGING OUR CONCEPT OF HUMAN RIGHTS INTO THE FIELD OF EAST-WEST RELATIONS.

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THE COUNTRIES OF EASTERN EUROPE SHOULD NOW REALIZE THAT THIS CONCEPT HAS COME TO STAY AND CANNOT NOW BE PUT AWAY IN A DRAWER LABELLED "NON-INTERVENTION".

END QUOTE.

3. HUMAN RIGHTS ACTION PROGRAM -

A) COUNCIL OF EUROPE:

SYNTHESIZING THE MANY OPINIONS EXPRESSED, ONE EMERGES WITH THE FOLLOWING PRIORITIES: (1) CONTINUE TO PERFECT THE EUROPEAN CONVENTION OF HUMAN RIGHTS AND THE HUMAN RIGHTS COMMISSION/COURT SYSTEM. (2) INCREASE THE COE S COLLECTIVE VOICE FOR PURSUING
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HUMAN RIGHTS IN THE WORLD BY CAPITALIZING ON THE DEMOCRATIC NATURE OF THE COE S TWENTY MEMBER GOVERNMENTS AND THE PROTECTION OF HUMAN RIGHTS THEY THEMSELVES PRACTICE, AND BY COOPERATING MORE WITH THE U.S. (3) BLEND THE COE SOCIAL CHARTER S ECONOMIC AND SOCIAL RIGHTS AND PORTIONS OF THE RELEVANT U.N. COVENANTS INTO THE HR CONVENTION (STRASBOURG 12, PARA 4 - NOTAL). (4) CONSULT MORE IN ADVANCE TO BETTER COORDINATE VOTING ON HUMAN RIGHTS ISSUES AT THE U.N.

B) COMMENT: IT IS NOT SO MUCH THE CONTENT OF THESE POINTS WHICH COUNTS, AS THE INCREASED SPIRIT AND CONFIDENCE LYING BEHIND THEM, DUE MAINLY TO COE MEMBERS PRIDE OVER THEIR SUPRANATIONAL HUMAN RIGHTS SYSTEM AND TWENTY DEMOCRATIC GOVERNMENTS. ON POINT 2, THORN CALLED FOR ACTION ON THE NOV. 24 BELGIAN INITIATIVE FOR THE COE TO COME OUT STRONGLY AGAINST TORTURE, TO FOCUS ON HUMAN RIGHTS IN THE INTERNATIONAL RELATIONS CONTEXT, AND TO STUDY HOW TO BETTER HANDLE VIOLENCE AND TERRORISM. POINT 3 IS MORE CONTROVERSIAL, BECAUSE CONSERVATIVES DO NOT ACCEPT SOCIAL DEMOCRATIC VIEWS FOR EXAMPLE, ON INCLUDING THE RIGHT TO EMPLOYMENT AS A "HUMAN RIGHTS" UNDER THE HR CONVENTION.

C) EUROPEAN COMMUNITIES:

SANTER OF LUXEMBOURG GAVE THE EC PARLIAMENT'S HUMAN RIGHTS REPORT, THE THEME OF WHICH WAS THAT THE EC SHOULD DO MORE ITSELF TO FOSTER HUMAN RIGHTS, NO MATTER WHAT TRANSPIRES UNDER COUNCIL OF EUROPE AUSPICES, CITING THE CONSENSUS WHICH EXISTS IN THE EC. HE ALSO ENDORSED WORKING CLOSELY WITH THE U.S. AND PERFECTING EXISTING DECLARATIONS AND MECHANISMS. HE HIGHLIGHTED THE FOLLOWING AREAS OF ACTIVITY: (1) NEGOTIATIONS ON ADMISSION OF SPAIN, PORTUGAL, GREECE WILL PROVIDE OCCASION TO STRENGTHEN HUMAN RIGHTS AND DEMOCRATIC ORIENTATION OF THE E.C., (2) SOUTH AFRICA AND LATIN AMERICA , AND (3) COMECON-EC NEGOTIATIONS,
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ALTHOUGH INTRODUCING HUMAN RIGHTS ELEMENTS WOULD BE "DELICATE" TASK. SOME EC PARLIAMENTARIANS (CHIEFLY U.K. LABORITES DE FRIETAS AND PRESCOTT) CALLED FOR SEIZING THE OPPORTUNITY OFFERED BY THE UPCOMING RENEGOTIATION OF THE EC-LOME AGREEMENT (STARTING SEPT. 1978) TO MAKE HUMAN RIGHTS A CONDITION OF AID AND COOPERATION WITH STATES LIKE UGANDA, CITING THE EC'S 1970 "FREEZE" ON RELATIONS WITH GREECE AS A PRECEDENT.

D) COMMENT: NO MORE THAN 24 EC PARLIAMENTARIANS ATTENDED THE JANUARY 26 JOINT SESSION, AND ONLY 8 SPOKE. THIS LEFT COE OBSERVERS, WHO CLAIM THE JOINT SESSION DATE WAS FIXED LAST JUNE, UNHAPPY IN VIEW OF SANTER STATEMENT AND OTHER INDICATIONS EC WILL PURSUE STRENGTHENING OF ITS OWN HUMAN RIGHTS SYSTEM KLUXEMBOURG COURT ETC.) AND CUT IN ON COE TURF. (STRASBOURG 12, PARA 3).

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AID-05 CEA-01 COME-00 EB-08 FRB-01 STR-07 TRSE-00
LAB-04 SIL-01 OMB-01 MCT-01 /149 W
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P R 301630Z JAN 78
FM AMCONSUL STRASBOURG
TO SECSTATE WASHDC PRIORITY 1129
INFO ALL COE CAPITALS
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4. CHILE - MENTIONED AT VARIOUS POINTS IN THE PROCEEDINGS, CHILE WAS THE SUBJECT OF A SPECIAL REPORT DRAFTED BY COE PARLIAMENTARY ASSEMBLY MEMBER FORNI, FRENCH SOCIALIST. THE REPORT AND ENSUING DISCUSSION CENTERED ON ALLOWING PARLIAMENTARIANS IN JAIL TO GO INTO EXILE OR HAVE THEIR SENTENCES COMMUTED. I WAS INFORMED THAT OUTGOING PARLIAMENTARY ASSEMBLY PRESIDENT CZERNETZ ON JAN. 27 SENT A TELEGRAM TO CHILEAN PRESIDENT PINOCHET REQUESTING THAT HE CONSIDER EITHER ALLOWING EXILE OR COMMUTING THE SENTENCES.

5. CYPRUS - ANOTHER HARDY PERENNIAL, CYPRUS ENGENDERED WHAT LITTLE ACTUAL DEBATE TOOK PLACE, WITH GREEKS AND TURKS (NO CYPRIOT DELEGATION PRESENT) EXCHANGING CHARGES OVER CYPRUS GOVERNMENT COMPLAINTS OF HUMAN RIGHTS VIOLATIONS AGAINST TURKEY.
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THE GREEKS FOUND SOME SUPPORT FOR THEIR CHARGE THAT THE COMMITTEE OF MINISTERS' POSTPONEMENT OF ANY ACTION ON THE HUMAN RIGHTS COMMISSION (HRC) REPORT UNTIL NEXT AUTUMN HARMS THE COE HUMAN RIGHTS RECORD. ON JANUARY 25, AFTER LUXEMBOURG PM/FM THORN IN HIS CAPACITY AS CHAIRMAN IN OFFICE OF THE COMMITTEE OF MINISTERS HAD DELIVERED HIS SPEECH, HE WAS BADGERED BY SOME PARLIAMENTARIANS TO MAKE THE HRC CYPRUS REPORT PUBLIC. THORN NOTED THAT HRC REPORT AND MINISTERS DISCUSSIONS MUST REMAIN CONFIDENTIAL. HE REJECTED VIEW THAT DO-NOTHINGISM WAS HURTING COE RECORD, STATING MINISTERS HAD A RESPONSIBILITY TO HANDLE BOTH LEGAL AND POLITICAL ASPECTS OF CYPRUS ISSUE. HE CLOSED BY NOTING POSITIONS ON CYPRUS SEEM TO HAVE SOFTENED, GIVING HOPE ONCE AGAIN OF PROGRESS TOWARDS OVERALL SETTLEMENT.

6. CZERNETZ VISIT TO THE U.S. - IN HIS OPENING DAY "PROGRESS REPORT" OUTGOING ASSEMBLY PRESIDENT KARL CZERNETZ NOTED HIS SEPTEMBER VISIT TO WASHINGTON AND HIS CONTACTS THERE. HE CALLED HIS PRESENTATION TO VICE PRESIDENT MONDALE, FOR PRESIDENT CARTER, OF A SPECIALLY DEDICATED EDITION OF THE EUROPEAN CONVENTION OF HUMAN RIGHTS, SYMBOLIC OF THE COMMON DENOMINATOR OF U.S. AND COE HUMAN RIGHTS ACTIONS. HE ALSO OPINED THAT THE U.S. FOR THE FIRST TIME IS TAKING THE COE SERIOUSLY. (CZERNETZ IS DUE TO BE REPLACED AT THE APRIL PARLIAMENTARY ASSEMBLY BY DUTCH LIBERAL PARTY PARLIAMENTARIAN HANS DE KOSTER.)

7. UNDER COVER OF STRASBOURG A-12 (JAN. 30, 78) FULL TEXT OF HUMAN RIGHTS REPORT ADOPTED BY ASSEMBLY AND REPORT ON CHILE BEING SENT TO THE DEPARTMENT. (COPIES OF HRR BEING POUCHED BELGRADE (USDEL CSCE) AND BRUSSELS (EC MISSION). CHILE REPORT TO SANTIAGO AND USUN.) TEXT OF FRYDENLUND SPEECH BEING SENT UNDER TRANSMITTAL SLIP TO DEPT. USUN, AMEMBASSY OSLO AND BELGRADE (USDEL CSCE).KURZE

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